

ORIGINAL

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL/PARTIES OF RECORD	
<div style="border: 1px solid black; padding: 5px; margin: 0 auto; width: 150px;"> DEC -7 2006 </div>	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

FILED

DEC 7 2006

U.S. MAGISTRATE JUDGE
DISTRICT OF NEVADA

UNITED STATES DISTRICT COURT BY _____ DEPT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 DAVID LEROY LANTRY,)
)
 Defendant.)

3:06-mj-0093-VPC
COMPLAINT FOR VIOLATIONS OF:
TITLE 18, UNITED STATES CODE,
SECTIONS 1113, 1151, and 1152 -
Attempted Murder (Count One)

TITLE 18, UNITED STATES CODE,
SECTION 924(c) - Use of a Firearm
During and in Relation to a Crime of
Violence (Count Two)

Before the Honorable Valerie P. Cooke, United States Magistrate Judge, Reno, Nevada, the undersigned complainant being first duly sworn, states:

Count One
(Attempted Murder)

On or about December 6, 2006, in the District of Nevada, the defendant, DAVID LEROY LANTRY, at the Walker River Indian Reservation, Schurz, Nevada, Indian Country of the United States, willfully, deliberately, maliciously, and with premeditation and malice aforethought, did unlawfully attempt to kill Tribal Police Chief Joseph McMinn, an Indian, by shooting him with a firearm; all in violation of Title 18, United States Code, Sections 1113, 1151, and 1152.

COUNT TWO

(Use of a Firearm During and in Relation to a Crime of Violence)

On or about December 6, 2006, in the District of Nevada, DAVID LEROY LANTRY, defendant herein, did knowingly use and carry a firearm during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, Attempted Murder, as set forth in Count One of this Complaint; all in violation Title 18, United States Code, Section 924(c).

Complainant, as a Special Agent with the Federal Bureau of Investigation, states that there is probable cause, as set forth in the attached Affidavit.

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

Erron Terry, Special Agent, Federal Bureau of Investigation (FBI), being first duly sworn, states as follows:

1. That your affiant is a Special Agent with the FBI, Reno Resident Office, Reno, Nevada. As part of his duties, he investigates offenses that occur on Indian Reservations and Colonies.

2. Your affiant has received information from other Federal Agents, Tribal Officers and Local Law Enforcement Officers that on December 6, 2006 four Tribal Police Officers, Chief Joseph McMinn, Officer Robert Holbrook, Officer Brian Howe and Officer Roman Sanchez, approached a residence at 3047 Arena Road, Walker River Indian Reservation, Schurz, Nevada, to execute a Tribal Search Warrant.

3. Chief McMinn knocked on the door at 3047 Arena Road and announced who he was and why the Officers were there. Anna Johnson answered the door and became combative. She started yelling for "Jake" and screaming "Jake, help me". Another individual inside the home, Jacob Quintero appeared and instructed his dog, a Rottweiler, to attack the Officers in the home. Chief McMinn shot the Rottweiler as he saw the dog getting ready to attack him.

4. Jacob Quintero started yelling to the officers "you shot my dog". The Officers told him to get down. Jacob Quintero would not comply and started walking to the back of the residence. Officer Sanchez and Officer Hoolbrook attempted to restrain Jacob Quintero for officer safety issues. As Officer Sanchez and Officer Hoolbrook were trying to restrain Jacob Quintero, Officer Sanchez saw DAVID LEROY LANTRY, defendant herein, walking towards the Officers, pointing a firearm at them. Officer Sanchez then heard approximately five gun shots fired.

5. Chief McMinn stated he was shot from behind in the area of his leg and immediately turned to see the defendant shoot him in the chest at close range. Chief McMinn was wearing a bullet proof vest. Chief McMinn returned fire and shot defendant.

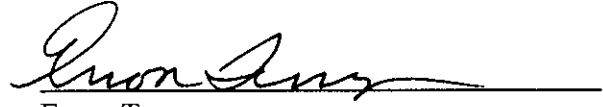
///

///

///

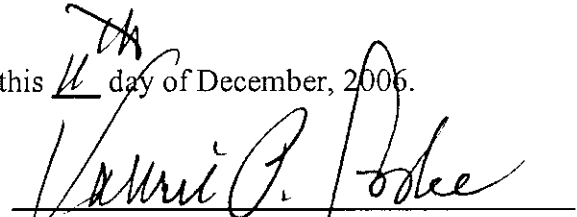
///

6. Based on the foregoing facts, your affiant submits that there is probable cause to arrest the defendant for violations of Title, 18 U.S.C. §§ 924(c), 1113, 1151 and 1152.



Erron Terry
Special Agent
Federal Bureau of Investigation

Subscribed and Sworn to before me this 11th day of December, 2006.



Valerie P. Cooke
United States Magistrate Judge